

HOUSE BILL 345  
EMERGENCY BILL

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F1

2004 Regular Session  
4r1241  
CF 4r1718

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By: **Delegates Hixson, Bozman, Healey, Anderson, Barkley, Barve, Benson, Bobo, Bronrott, Brown, Burns, Busch, Cane, Cardin, G. Clagett, Conway, C. Davis, D. Davis, DeBoy, Donoghue, Dumais, Feldman, Frush, Gaines, Goldwater, Goodwin, Gordon, Griffith, Gutierrez, Harrison, Haynes, Howard, Hurson, Jones, Kaiser, Kelley, King, Kirk, Krysiak, Lee, Love, Madaleno, Malone, Mandel, Marriott, McHale, McIntosh, Menes, Mitchell, Moe, Montgomery, Murray, Nathan-Pulliam, Niemann, Owings, Parker, Patterson, Pendergrass, Petzold, Proctor, Quinter, Ramirez, Rosenberg, Sophocleus, Taylor, F. Turner, V. Turner, Vallario, Vaughn, Weir, Wood, and Zirkin**

Introduced and read first time: January 28, 2004

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Bridge to Excellence in Public Schools Act - Trigger Provision - Repeal**

3 FOR the purpose of repealing the provision in the Bridge to Excellence in Public  
4 Schools Act, commonly referred to as the "trigger provision", that makes certain  
5 State aid for education contingent on the adoption of a joint resolution by the  
6 General Assembly by a certain date; repealing the provision of the Act  
7 establishing an alternative funding level of State aid for education if the joint  
8 resolution is not adopted by a certain date; making this Act an emergency  
9 measure; and generally relating to the repeal of the trigger provision in the  
10 Bridge to Excellence in Public Schools Act.

11 BY repealing and reenacting, with amendments,  
12 Chapter 288 of the Acts of the General Assembly of 2002  
13 Section 20

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Chapter 288 of the Acts of 2002**

17 SECTION 20. AND BE IT FURTHER ENACTED, That:

18 (a) Except as otherwise provided in this section, Sections 1 and 2 of this Act  
19 shall take effect July 1, 2003.

20 (b) On or before September 30, 2002, the Prince George's County Board of  
21 Education shall develop and submit to the State Department of Education a

1 comprehensive master plan that meets the requirements of § 5-401 of the Education  
2 Article as enacted under Section 2 of this Act.

3 (c) On or before September 30, 2002, the State Department of Education shall  
4 contract with a private entity to conduct the study required under § 5-202(f)(2) of the  
5 Education Article as enacted under Section 2 of this Act.

6 [(d) (1) For the additional State aid for education as enacted by Section 2 of  
7 this Act to be implemented in fiscal 2005, the General Assembly at the 2004 regular  
8 session shall affirm by joint resolution adopted no later than the fiftieth day of the  
9 session that the additional State aid for education is within the State's fiscal  
10 resources for fiscal 2005.

11 (2) If a joint resolution pursuant to paragraph (1) of this subsection is  
12 not adopted by the fiftieth day, then the additional State aid for education contained  
13 in Section 2 of this Act shall be funded in fiscal 2005 at 105 percent of the fiscal 2004  
14 level as enacted by Section 2 of this Act for each county from the appropriations  
15 proposed by the Governor for the additional State aid enacted by Section 2 of this Act.  
16 The balance of the appropriations proposed by the Governor for additional State aid  
17 for education shall revert to the General Fund.

18 (e) If subsection (d)(2) of this section is implemented, then the additional  
19 State aid for education contained in Section 2 of this Act shall be funded at the  
20 following percentage of the fiscal 2004 level as enacted by Section 2 of this Act for  
21 each county:

22 (1) 110.25 percent in fiscal 2006;

23 (2) 115.75 percent in fiscal 2007; and

24 (3) 121.50 percent in fiscal 2008.]

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
26 measure, is necessary for the immediate preservation of the public health or safety,  
27 has been passed by a ye and nay vote supported by three-fifths of all the members  
28 elected to each of the two Houses of the General Assembly, and shall take effect from  
29 the date it is enacted.